

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MOUSTAPHA AL-MOULLA,)	
)	NO. CV-05-5060-LRS
Plaintiff,)	
)	ORDER GRANTING SUMMARY
-vs-)	JUDGMENT
)	
PAT RIMA, et al.,)	
)	
Defendants.)	

BEFORE THE COURT is Defendants' Motion to Dismiss or Alternatively for Summary Judgment (Ct. Rec. 15), filed September 15, 2006 and set for hearing without oral argument on November 6, 2006. Defendants request an order of involuntary dismissal pursuant to Fed.R.Civ.P. Rule 41(b) because Plaintiff has taken no action to prosecute this case since the filing of the Complaint. In the alternative, Defendants move for summary judgment based on a statute of limitations bar.

Plaintiff, through his attorney not yet of record Ali Nakkour, filed an untimely response on November 3, 2006, opposing Defendants' instant motion. This reply will be disregard based on its untimeliness under Local Rule 7 and based on Mr. Nakkour's failure to file a Notice of Appearance to date. Further, the *pro se* Plaintiff has moved to Lebanon for an undisclosed period of time, and has not provided a forwarding address.¹

¹The Court notes that on September 18, 2006, mail sent by the Court to Plaintiff MOUSTAPHA AL-MOULLA's last reported address was returned as "undeliverable."

